

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Information Disclosure Statement

At the outset, Applicant respectfully notes that the Information Disclosure Statement filed February 25, 2004, does comply with the provisions of 37 CFR 1.97, 1.98 and MPEP §609 because Japanese Utility Model Application Publication No. 6-10880 was filed in the Japanese language and a concise statement of the relevance of the reference is included in the specification. See page 1, lines 15-31 of the present specification. Thus, the submission was in compliance at the time of filing and, accordingly, appropriate consideration of the Information Disclosure Statement is respectfully requested.

Rejection under 35 U.S.C. §112

Claims 1-4 stand rejected under 35 U.S.C. §112, second paragraph, as indefinite. Specifically, the Examiner asserts that it is unclear as to what the structural relationship is between a visible light source and an infrared light source nor the purpose, specifically for the infrared light source. Further, the Examiner asserts that the specification fails to disclose the purpose or the need for the infrared light combined with the white light source. This rejection is respectfully traversed.

Applicant notes that the specification clearly states that the present invention is related to lamps such as vehicular headlamps and recites the purposes of the infrared light and white light accordingly. Specifically, the white light source can be used for low and high beam emissions from the headlamp (see, for example, page 4, lines 14-29) and the infrared light source has a function of an infrared ray projector for emitting the infrared light forward from the headlamp to perform detection of obstacles in front of the automobile or on the shoulder of the road (see, for example, page 6, line - page 7, line 6). Applicant submits that these functions of infrared light sources and white light sources are well known to those skilled in the pertinent art, and, moreover, are clearly set forth in the present specification. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection under 35 U.S.C. §102

Claims 1 and 4 stand rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,601,980 (hereinafter "Kobayashi"). Claim 1 has been amended in this reply to recite that the infrared light source is a semiconductor light emitting element for generating red light and infrared light. The Examiner admits that Kobayashi fails to disclose semiconductor light sources. Thus, Kobayashi now fails to disclose all of the limitations of amended claim 1. Therefore, claim 1, as amended, is patentable over Kobayashi. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of these rejections is respectfully requested.

Rejections under 35 U.S.C. §103

Claim 3 stands rejected under 35 U.S.C. §103 as unpatentable over Kobayashi. To the extent that this rejection still applies to the claims as amended, the rejection is respectfully traversed.

As discussed above, claim 1 has been amended to recite that the infrared light source is a semiconductor light emitting element for generating red light and infrared light. Advantageously, the use of a semiconductor light emitting element, such as an LED, a single wavelength light can be irradiated simply and efficiently. This is beneficial because it allows a desired color to be obtained without the need for a filter to eliminate unnecessary wavelengths. Also, it is beneficial as the entire structure of the headlamp apparatus can be simplified.

In contrast, Kobayashi discloses the use of a lamp, such as a halogen lamp or the like, as a light source. The filament of such a lamp emits multiple-wavelength light (i.e., a continuous spectrum). Because of this, the structure disclosed in Kobayashi is complicated and requires the inclusion of a filter to eliminate the light of undesired wavelengths. Thus, the structure of the present invention as now recited in amended claim 1 exhibits particular advantages over the conventional structure shown in Kobayashi. Accordingly, Applicant submits that the differences between claim 1 and Kobayashi are not merely an obvious substitution of equivalent elements.

In view of the above, claim 1 is patentable over Kobayashi. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of these rejections is respectfully requested.

Claim 4 stands rejected under 35 U.S.C. §103 as unpatentable over Kobayashi in view of U.S. Patent Application Publication No. 2002/0196639 (hereinafter "Weidel"). To the extent that this rejection still applies to the claims as amended, the rejection is respectfully traversed.

As discussed above, claim 1, as amended, is patentable over Kobayashi. Kobayashi fails to show or suggest all of the limitations of claim 1 and does not contemplate or achieve the advantages inherent to the structure recited in claim 1. Weidel fails to show or suggest all of the limitations of amended claim 1 or supply that which Kobayashi lacks. Weidel is merely directed to an LED headlight. Weidel, like Kobayashi, fails to teach or suggest the advantageous configuration recited in amended claim 1. Thus, claim 1, as amended, is patentable over Kobayashi and Weidel, whether considered separately or in combination. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of these rejections is respectfully requested.

New Claims


New claims 5 and 6 have been added to clarify additional patentable features of the present invention. These new claims are fully supported by the original specification and no new matter has been added. Also, these new claims are patentable over the prior art of record for at least the same reasons as discussed above and additionally because none of the cited references shows or suggests the arrangement of semiconductor light emitting sources as recited in new claim 5 or the reflector as recited new in claim 6. Accordingly, entry and favorable consideration of these new claims is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 02008/152001).

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Respectfully submitted,



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